

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
YAN PING XU,

Plaintiff,

-against-

THE CITY OF NEW YORK s/h/a THE NEW  
YORK CITY DEPARTMENT OF HEALTH AND  
MENTAL HYGIENE, and BRENDA M.  
MCINTYRE,

Defendants.

ANALISA TORRES, District Judge:

On December 30, 2008, Plaintiff *pro se*, Yan Ping Xu, filed this action. ECF No. 1. On March 31, 2021, summary judgment was granted and the case was dismissed. ECF No. 297. On April 27, 2021, Plaintiff filed a notice of appeal. ECF No. 302. On May 19, 2022, the Finance Office indicated that Plaintiff's payment of the appeal fee was deficient. On September 20, 2022, Plaintiff filed a letter to the Court requesting that the Court issue an order regarding her appeal fee. ECF No. 307.

In order to appeal the Court's final judgment to the Second Circuit, Plaintiff must pay a fee of \$505. 28 U.S.C. § 1913; *see also* [https://www.ca2.uscourts.gov/clerk/case\\_filing/fee\\_schedule.html](https://www.ca2.uscourts.gov/clerk/case_filing/fee_schedule.html). Plaintiff submitted the appeal fee, but her payment by personal check is not an acceptable form of payment. Accordingly, within thirty days of the date of this order, Plaintiff must pay the appeal fee of \$505 by certified check or money order payable to: Clerk of Court – SDNY. Payment can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check or money order must include Plaintiff's case number. Payment can also be made by major credit card or cash, if the payment is made in person. Personal checks are not accepted. The Cashiers Unit is directed to return the \$505 personal check to Plaintiff at the address indicated on Plaintiff's most recent letter to the Court, ECF No. 307.

SO ORDERED.

Dated: September 21, 2022  
New York, New York

USDC SDNY  
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DATE FILED: 9/21/2022

08 Civ. 11339 (AT)

**ORDER**

  
ANALISA TORRES  
United States District Judge